

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SEAN M. MARTIN,

Plaintiff,

v.

YOLO COUNTY SHERIFF DEPUTY
RYAN MEZ, *et al.*,

Defendants.

Case No. 2:20-cv-00855-JAM-JDP (PS)

ORDER FINDING SERVICE OF COMPLAINT
AND NOTICE OF ELECTION APPROPRIATE
AGAINST DEFENDANTS RYAN MEZ AND
JEREMY HEMBREE

ECF Nos. 1, 6

Plaintiff Sean Martin is proceeding without counsel in this civil rights action brought under 42 U.S.C. § 1983. This matter has been referred to a U.S. Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. The court orders that this case proceed on plaintiff's complaint filed April 27, 2020, as amended by plaintiff's October 26, 2020 notice of election to proceed only with his First Amendment, Fourth Amendment, and state law false arrest claims against defendants Ryan Mez and Jeremy Hembree, and his Fourteenth Amendment claim against Hembree.

Accordingly, it is ordered that:

1. Service is appropriate for defendants Ryan Mez and Jeremy Hubree.
2. The Clerk of Court shall send plaintiff one USM-285 form, one summons, a copy of the complaint, this court's scheduling order, and the forms providing notice of the magistrate

1 judge's availability to exercise jurisdiction for all purposes.

2 3. Plaintiff is advised that the U.S. Marshal will require:

- 3 a. One completed summons;
- 4 b. one completed USM-285 form for each defendant;
- 5 c. a copy of the complaint and October 26, 2020 notice of election for each
- 6 defendant, with an extra copy of each document for the U.S. Marshal; and,
- 7 d. a copy of this court's scheduling order and related documents for each
- 8 defendant.

9 4. Plaintiff shall supply the U.S. Marshal, within 14 days of the date when this order is

10 filed, all information needed by the Marshal to carry out service of process, and shall, within 14

11 days thereafter, file a statement with the court verifying that this information been submitted to

12 the U.S. Marshal.

13 5. The U.S. Marshal shall serve process, with copies of this court's scheduling order and

14 related documents, within 90 days of receipt of the required information from plaintiff, without

15 prepayment of costs. The U.S. Marshal shall, within 14 days thereafter, file a statement with the

16 court that the appropriate documents have been served. If the U.S. Marshal is unable, for any

17 reason, to effect service of process on any defendant, the Marshal shall promptly report that fact,

18 and the reasons for it, to the undersigned.

19 6. The Clerk of Court shall serve a copy of this order on the United States Marshal, 501

20 "I" Street, Sacramento, CA 95814 (tel. 916/930-2030).

21 7. Failure to comply with this order may result in a recommendation that this action be

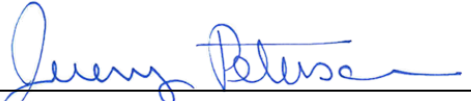
22 dismissed.

23 IT IS SO ORDERED.

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25 Dated: November 13, 2020

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JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE

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